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Notices—Penalty for Destroying or Defacing. (Act 94, Apr. 23, 1913.)

SECTION 1. Any person who shall maliciously destroy or deface any notice put up in compliance with any statute, order of court, or order of the Territorial board of health, before the expiration of the period of such notice, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not to exceed \$100.

SEC. 2. This act shall take effect from and after the date of its approval.

Potable Water—Purity Must be Certified. (Act 103, Apr. 23, 1913.)

SECTION 1. No water shall be furnished for potable purposes in the Territory by any person, firm, corporation, or organization of any kind, county, municipal, or Territorial department, whether for pay or without pay, except after a certificate first obtained of the Territorial board of health setting forth that said board has examined the potability of the water intended to be furnished, the source of its supply, the system of its distribution, and that the water, source, and system of distribution are reasonably free from contamination and pollution and that the water at the time is in the opinion of the board suitable for potable purposes without danger to public health.

SEC. 2. No person, firm, corporation, or organization of any kind, county, municipal, or Territorial department shall continue to furnish water for potable purposes after written notice from the Territorial board of health that the water, the source of supply, or system of distribution is not free from contamination or pollution and that the water is in the opinion of the board unsuitable for potable purposes and dangerous to public health.

SEC. 3. Any person, firm, corporation, or organization of any kind who shall furnish or continue to furnish water for potable purposes contrary to the provisions of this act shall upon conviction be punished by a fine of not more than \$100.

SEC. 4. This act shall take effect on January 1, 1914.

Nuisances—Defined. (Act 104, Apr. 23, 1913.)

SECTION 1. Section 3130 of the Revised Laws of Hawaii is hereby amended so as to read as follows:

“SEC. 3130. *Defined.*—The offense of common nuisance is the endangering of the public personal safety or health, or doing, causing, or promoting, maintaining or continuing what is offensive, or annoying and vexatious, or plainly hurtful to the public, or is a public outrage against common decency or common morality, or tends plainly and directly to the corruption of the morals, honesty and good habits of the people, the same being without authority or justification by law:

As, for example, the carrying on a trade, manufacture, or business in places so situated that others indiscriminately, who reside in the vicinity, or pass in a highway or public place, or resort to a schoolhouse, meeting house, or any other place of legal and usual resort or assembly, are liable to be thereby injured, annoyed, disturbed, or endangered by deleterious exhalations, noisome vapors, hideous, alarming, or disgusting sights, intolerable noise, or otherwise; spreading or endangering the spreading of smallpox, or other infectious disease; carrying an infected person, or causing him to pass, through a frequented street; opening a hospital or pesthouse so as to endanger neighbors or the passers-by in a frequented street, or otherwise; making or storing gunpowder in or near a populous or public or frequented place, without authority therefor, or otherwise making or storing the same contrary to law; blasting with excessive charge of giant powder or other explosives; making loud and troublesome noises by night; keeping animals that disturb the neighborhood by night; permitting ferocious or dangerous animals to go abroad; keeping a bawdyhouse; open lewdness or lascivious behavior, or indecent exposure; keeping a common gambling house; keeping a disorderly house

to the public disturbance and annoyance; selling, dealing in, having in possession or using, sneezing powder or any similar substance other than snuff."

SEC. 2. This act shall take effect upon its approval.

Personal Property of Deceased Lepers—Disposal of. (Act 105, Apr. 23, 1913.)

SECTION 1. That whenever, by reason of the death of any leper, or of any kokua, resident in the county of Kalawao, or suspect in the Kalihi Hospital, city and county of Honolulu, Territory of Hawaii, and the want of an executor or administrator, any personal property or moneys have or shall come into the possession of the board of health, the secretary of the board of health is hereby empowered to receive such personal property or moneys and to distribute the same, upon the approval of the attorney general, to the persons satisfactorily proven to him to be the persons who would be entitled to the personal estate of the decedent by the terms of the laws of Hawaii, relating to the distribution of estates of intestates; provided, however, that before any such distribution shall be made, notice shall be given to any and all persons having claims to such personal property or moneys, or against any such deceased person, by publication once a week for four successive weeks in a newspaper, printed in both the Hawaiian and English languages, of general circulation in the Territory of Hawaii, or by posting in three or more conspicuous places in the Territory, to appear and file the said claims.

SEC. 2. That all such claims not presented within one year after the date of publication or posting of the said notice shall be forever barred.

SEC. 3. If the claims against such deceased persons exceed in amount such moneys, then and in such case the said secretary shall convert such other personal property into cash, or so much thereof as may be necessary, and pay such claims; or if there still be insufficient funds for such purpose, then the said secretary shall divide the same pro rata among the creditors of such deceased person.

SEC. 4. That where no such claim to any such personal property or moneys is made or when any balance remains after the payment of any and all claims made within the time hereby limited, the secretary of the board of health is hereby required to convert the said personal property, if there be any, into cash and to deposit immediately the said cash or moneys or balance of the same in the treasury of the Territory of Hawaii as a Government realization.

SEC. 5. This act shall take effect upon its approval.

Board of Health—Civil-Service Rules for. (Act 119, Apr. 26, 1913.)

SECTION 1. There is hereby established a civil-service commission consisting of three members, who shall be appointed by the governor in the manner prescribed by section 80 of the organic act and shall hold office for two years or until their successors are appointed and qualified. Said members shall serve without pay, and two of them shall constitute a quorum. Not more than any two members of the said commission shall belong to the same political party when appointed. The secretary of the Territorial board of health shall act as secretary and keep the minutes and records of said commission without additional compensation.

SEC. 2. The commission shall classify all places of employment now existing or hereafter created in or under the Territorial board of health, except the places and offices specified in section 7 hereof. The places so classified shall constitute the classified service of the Territorial board of health, and no appointment to any such place shall be made, except with the approval of the commission and in accordance with its rules and regulations.

SEC. 3. The commission, with the approval of the governor, shall from time to time make such rules and regulations to govern the selection and appointment of persons to be employed in or under the Territorial board of health as in its judgment shall